



NOTICE OF TEXT

[Authority G.S. 150B-21.2(c)]

OAH USE ONLY

VOLUME:

ISSUE:

CHECK APPROPRIATE BOX:

- ☒ Notice with a scheduled hearing
☐ Notice without a scheduled hearing
☐ Republication of text. Complete the following cite for the volume, issue, and date of previous publication, as well as blocks 1 - 5 and 8 - 14. If a hearing is scheduled, complete block 6.
Previous publication of text was published in Volume: Issue:

1. Rule-Making Agency: Department of Environment and Natural Resources

2. Agency obtained G.S. 150B-19.1 certification:

- ☒ OSBM certified on: August 7, 2013
☐ RRC certified on:
☐ Not Required

3. Agency website postings:

- Text of proposed rule posted at: http://www.ncparks.gov/About/rule_change.php
- Explanation and reason for proposed rule posted at: http://www.ncparks.gov/About/rule_change.php
- Federal Certification posted at: n/a
- Instructions for oral and written comments posted at: http://www.ncparks.gov/About/rule_change.php
- Fiscal Note if prepared posted at: http://www.ncparks.gov/About/rule_change.php

4. Proposed Action -- Check the appropriate box(es) and list rule citation(s) beside proposed action:

☐ ADOPTION:

☒ AMENDMENT: 15A NCAC 12B .0901

☐ REPEAL:

5. Proposed effective date: January 1, 2014

6. Is a public hearing planned? ☒ Yes ☐ No

If yes: Public Hearing date: September 19, 2013

Public Hearing time: 9:00 a.m.

Public Hearing Location: Environment & Natural Resource Bldg., Rm 4001, 217 W. Jones St., Raleigh NC 27603

7. If no public hearing is scheduled, provide instructions on how to demand a public hearing:

8. Explain Reason For Proposed Rule(s): This rule amendment is necessary to comply with Session Law 2011-268, which amended G.S. 14-415(c1) to allow an individual with a concealed handgun permit to possess and carry a concealed handgun on the grounds or waters of a park within the State Park System as defined by G.S. 113-44.9 unless otherwise specifically prohibited by law. Additionally, this rule amendment would permit certain individuals, identified in G.S. 14-269, to possess and carry concealed handguns on grounds or waters of a park within the State Park System in statutorily specified circumstances.

Reason For Proposed Rule(s) cont.:

Procedure for Subjecting a Proposed Rule to Legislative Review: If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission. If the Rules Review Commission receives written and signed objections in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or facsimile transmission. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 919-431-3000.

9. The person to whom written comments may be submitted on the proposed rule:

Name: Will Hendrick

Address: Division of Parks and Recreation

1615 Mail Service Center

Raleigh, NC 27699-1615

Phone (optional):

Fax (optional):

E-Mail (optional):

10. Comment Period Ends: November 4, 2013

11. Fiscal impact (check all that apply).

If this form contains rules that have different fiscal impacts, list the rule citations beside the appropriate impact.

- ☐ State funds affected
- ☐ Environmental permitting of DOT affected
Analysis submitted to Board of Transportation
- ☐ Local funds affected
Date submitted to OSBM: July 19, 2013
- ☐ Substantial economic impact (\geq \$500,000)
- ☒ Approved by OSBM
- ☒ No fiscal note required by G.S. 150B-21.4

12. Rule-making Coordinator: Jennifer Everett

Address: NC DENR– Office of General Counsel
1601 Mail Service Center
Raleigh, NC 27699-1601

Phone: 919-707-8614

E-Mail: Jennifer.Everett@ncdenr.gov

Agency contact, if any: Will Hendrick

Phone: 919-707-9335

E-mail: will.hendrick@ncparks.gov

13. The Agency formally proposed the text of this rule(s) on
Date: August 7, 2013

14. Signature of Agency Head* or Rule-making Coordinator:



***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Jennifer Everett

Title: DENR Rulemaking Coordinator